

1 **Rodolfo A. Camacho**, OSB #95520
Chapter 7 Bankruptcy Trustee
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5 Chapter 7 Trustee
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10 UNITED STATES BANKRUPTCY COURT
11 FOR THE DISTRICT OF OREGON

12 In re:

13 DANIELLE LEE WAIT,

14 Debtor.
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Case No. 15-33254-rld7

**TRUSTEE'S OBJECTION TO
MOTION TO CONVERT CASE FROM
CHAPTER 7 TO CHAPTER 13**

16 COMES NOW the duly appointed Chapter 7 Trustee in this case, Rodolfo A. Camacho,
17 (hereinafter "Trustee"), and objects to Debtor's Motion to Convert this case from Chapter 7 to
18 Chapter 13 on the following grounds:

- 19 1. On or about July 02, 2015, Debtor filed a voluntary petition for relief under Chapter 7
20 of the U.S. Bankruptcy Code.
- 21 2. On or about May 25, 2016, Trustee filed a Motion and Notice of Intent to Settle and
22 Compromise, and Order thereon. The settlement would pay 100% of all filed claims by creditors
23 (including 0.29% interest thereon), and would likely leave a surplus for the Debtor.
- 24 3. On or about June 14, 2016, Debtor, by and through his new legal counsel, Nicholas J.
25 Henderson, filed a Motion to Convert Case from Chapter 7 to Chapter 13.
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4. As the proposed settlement would bring in more than enough funds, it appears illogical as to why Debtor would choose to convert at this stage, other than to potentially dilute the creditors' distribution in bad faith, by receiving the settlement funds, wasting the asset, and then reconverting to a Chapter 7. Trustee is also concerned about the potential amount of unnecessary additional attorney fees that Debtor may be required to pay for the conversion and completion of this case.

5. Trustee is willing to stipulate to a Chapter 13 conversion as long as this court requires Debtor to pay 100% of all filed claims, including all administrative claims, and 0.29% interest on all of the unsecured claims.

6. WHEREFORE, there being no rational or beneficial reason to Debtor, for this case to be converted from Chapter 7 to Chapter 13, Trustee respectfully requests that this Court deny Debtor's Motion to Convert.

DATED this 15th day of June, 2016.

By /s/ Rodolfo A. Camacho
 RODOLFO CAMACHO, OSB #95520
 Chapter 7 Trustee

CERTIFICATE OF SERVICE

I hereby that I served the foregoing Trustee's Objection to Debtor's Motion to
Convert on:

Nicholas J. Henderson – via ECF

Danielle Lee Wait
1000 Wilsonville Rd., #104
Newberg, OR 97132

by mailing to said individuals a true, and correct copy thereof. I further certify that said copy was
contained in a sealed envelope with first class postage thereon prepaid, addressed as above stated, to
the last known address of said individual, and sent via U.S. Mail at Salem, Oregon, on the 15th day
of June, 2016.

/s/ Kirk W. Knutson
Kirk W. Knutson, OSB#03357
Staff Attorney for Chapter 7 Trustee